

UNITED STATES DISTRICT COURT

Southern District Of California
Office Of The Clerk
880 Front Street, Room 4290
San Diego, California 92101-8900
Phone: (619) 557-5600
Fax: (619) 702-9900

W. Samuel Hamrick, Jr.
Clerk of Court

FILED

August 13, 2007

AUG 21 2007

Clerk, U.S. District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102-3434

RECEIVED
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
AUG 21 2007
5-06-70750-RD

Re: 07MJ1741 JMA, USA v. Juarez-Bravo

Dear Clerk of the Court:

Enclosed please find copies of the following documents in connection with removal proceedings conducted in this District regarding the above named defendant:

<input checked="" type="checkbox"/> Docket Sheet	<input checked="" type="checkbox"/> Warrant of Removal
<input checked="" type="checkbox"/> Complaint	<input type="checkbox"/> Order of Removal
<input type="checkbox"/> Minute Order Appointing Counsel	<input type="checkbox"/> Detention Order
<input type="checkbox"/> Corporate Surety Bond	<input type="checkbox"/> Waiver of Removal
<input type="checkbox"/> Personal Surety Bond	
<input checked="" type="checkbox"/> Other	<u>Minutes; Waiver of Rule 5(c) & 5.1 hrs</u>

Please acknowledge receipt of the above documents on the enclosed copy of this letter.

Sincerely yours,

W. Samuel Hamrick, Jr.
Clerk of Court

By: P. Dela Cruz
P. Dela Cruz, Deputy Clerk

Minutes of the United States District Court
Southern District of California
August 2, 2007

HON. JAN M. ADLER

DEPUTY CLERK: ROI-ANN BRESSI

TAPE NO. JMA07- 3:00-3:06

07MJ1741-JMA USA vs. TIMOTEO JUAREZ-BRAVO - 02722359 (C)

DETENTION HEARING/ MICHAEL STEPHEN BERG, CJA N/A; PAUL TURNER,
REMOVAL/ID HEARING CJA S/A

AUSA: JEFF MOORE

DFT ADMITS ID

WAIVER OF HRG FILED

COURT ORDERS DFT REMOVED TO THE NORTHERN DISTRICT OF CALIFORNIA

WARRANT OF REMOVAL ISSUED TO USM

9/10/07
I hereby attest and certify on _____
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By P. Delacruz Deputy

6 MINS

Waiver of Rule 5(c) and 5.1(e) Hearings

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

TIMOTEO JUAREZ-BRAVO

Magistrate Case
No. 07MJ1741CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTYWAIVER OF RULE 5(c) and 5.1(a) HEARINGS
(Excluding Probation/Supervised Release Violation)

FILED

AUG - 2 2007

I, TIMOTEO JUAREZ-BRAVO, understand that in the Northern District of California, charges are pending alleging violation of Title 8, United States Code, Section 1326, and that I have been arrested in the Southern District of California and taken before a United States Magistrate Judge, who informed me of the charge and of my right to:

1. Retain counsel or request the appointment of counsel if I am unable to retain counsel;
2. Request transfer of the proceedings to this district pursuant to Rule 20, Fed.R.Crim.P., in order to plead guilty if the United States Attorneys in both districts approve the transfer in writing;
3. A preliminary hearing if required by Federal Rules of Criminal Procedure 5.1 or 58(b)(2)(G) (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution; and
4. An identity hearing to determine if I am the same person named in the charging document.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

identity hearing

preliminary hearing

identity hearing and have been informed I have no right to a preliminary hearing

identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

I hereby attest and certify on 0/0/07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By PH Deputy

x Timoteo Bravo
TIMOTEO JUAREZ-BRAVO
Defendant

Paul A
Paul A
Defense Counsel

8/2/07
Date

Warrant of Removal (After Waiver of Hearing)UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

RECEIVED

UNITED STATES OF AMERICA

v.

TIMOTEO JUAREZ-BRAVO

Magistrate Case
No. 07MJ1741

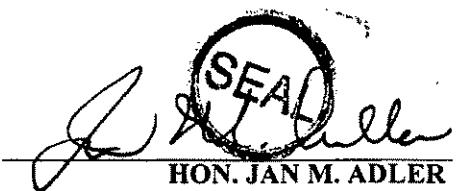
2007 AUG -3 A 8:48

U.S. MARSHAL
SOUTHERN DISTRICT OF
WARRANT OF REMOVAL
(After Waiver of Hearing)

To: United States Marshal

A complaint having been filed in the Northern District of California, charging defendant **TIMOTEO JUAREZ-BRAVO**, with unlawful re-entry into the United States after deportation without the permission of the Attorney General or Secretary of Homeland Security, in violation of Title 8, United States Code, Section 1326, and the above-named defendant having been arrested in this district and, after waiving hearing pursuant to Federal Rules of Criminal Procedure 5(c) and 5.1(a), having been committed by a United States Magistrate Judge to your custody pending his removal to that district,

You are hereby commanded to commit the above-named defendant forthwith to the Northern District of California and there deliver him to the United States Marshal for that district or to some other officer authorized to receive him.


HON. JAN M. ADLER
United States Magistrate Judge

Dated at San Diego, California, this 2nd day of August, 2007.

RETURN

Northern District of California (at San Jose)

ss

Received the within warrant of removal the _____ day of _____, 2007, and
executed same.

I hereby attest and certify on 07/10/07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

U. S. Marshal

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By _____ Deputy Marshal

By P. Delclos Deputy

Arrest on Out-of-District Offense

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

07 JUL 19 PM 2:14

CLERK, U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

BY:

DEPUTY

Magistrate Case Number: **07 MJ 1741**

The person charged as Timoteo JUAREZ-Bravo, AKA: Herlindo ESPIN-Peralta now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Northern District of California with Unlawful re-entry into the United States after deportation without the permission of the Attorney General or Secretary of Homeland Security, in violation of Title 8, United States Code, 1326

The charging documents and the warrant of the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 7/19/07

Suzanne M. Harriman

DEPORTATION OFFICER

(Name)

Reviewed and Approved:

Dated: 7/19/07

David L. Ladd

Assistant United States Attorney

I hereby attest and certify on 07/10/07
That the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By P. Bellon

Deputy

Jul-06-07 07:08am From-

T-931 P.002/005 F-182

AO 442 (Rev. 5/95) Warrant for Arrest

United States District Court
Northern District of California

UNITED STATES OF AMERICA,

v.

WARRANT FOR ARREST

JUAREZ-BRAVO, Timoteo
aka ESPIN-Peralta, Herlindo

06 70750 RS

To: The United States Marshal
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest JUAREZ-BRAVO, Timoteo

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Indictment Information Complaint
 Order of Court Violation Notice Probation Violation Petition

charging him or her with

unlawful re-entry into the United States after deportation without the permission of the Attorney General
or Secretary of Homeland Securityin violation of Title 8 United States Code, Section(s) 1326Richard Seeborg
Name of Issuing Officer
Signature of Issuing OfficerU.S. Magistrate Judge
Title of Issuing OfficerNovember 17, 2006, San Jose, CA
Date and LocationRECEIVED
U.S. MARSHALBail fixed at \$ No Bailby Richard Seeborg
Name of Judicial Officer

RETURN		
ORIGINALE WARRANT HELD BY U.S. MARSHAL, SAN JOSE AT THE OFFICE UPON ARREST THEREON OR THEREIN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
Date received	Name and Title of Arresting Officer	Signature of Arresting Officer
Date of Arrest		

Jul-06-07 07:08am From-
[REDACTED]

T-031 P.003/005 F-182

AO 51 (Rev. 5/8/81) CRIMINAL COMPLAINT

United States District Court

ORIGINAL
FILED

NORTHERN

DISTRICT OF

CALIFORNIA

NOV 17 2006

UNITED STATES OF AMERICA

v.

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

CRIMINAL COMPLAINT

06 70750 RS

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, October 18, 2006, in Santa Clara County, in the Northern District of California defendant(s) was, (True Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
facts:

SEE ATTACHED AFFIDAVIT

PENALTIES: \$250,000.00 fine, twenty years imprisonment and \$100.00 special assessment fee and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant / government will request detention.

APPROVED AS TO FORM: Karen Feigin 11/17/06

ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: Yes No

Sworn to before me and subscribed in my presence,

11/17/06
Date

at San Jose, California
City and State

Richard Seeborg
United States Magistrate Judge
U.S. District Court

Signature of Judicial Officer

R. Seeborg

Jul-05-07 07:08am From-

T-891 P.004/005 F-182

RE: JUAREZ-BRAVO, Timoteo AKA ESPIN-PERALTA, Herlindo

A77 174 592

I am a Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

- (1) Mr. JUAREZ-BRAVO is a 30-year-old male who has used four (4) aliases and one (1) date of birth in the past:
- (2) Mr. JUAREZ-BRAVO has been assigned one (1) Alien Registration number of A77 174 592, FBI number of 963646JB0, California Criminal Information Index number of A12338261, and a San Clara County Department of Corrections Personal File Number (PFN) of DND594.
- (3) Mr. JUAREZ-BRAVO is a native of Mexico and a citizen of Mexico since birth. A check through Service records shows that he was arrested and deported on four (4) occasions from the United States.

<u>DATE</u>	<u>PLACE OF DEPORTATION</u>
August 20, 1999	Nogales, AZ
July 13, 2000	Nogales, AZ
September 4, 2002	El Paso, TX
February 27, 2003	Nogales, AZ

- (4) Mr. JUAREZ-BRAVO was on September 4, 2002, convicted in the United States District Court, District of New Mexico for Violation Title 8 USC, Section 1326(a)(1) & (2) Re-Entry of Deported Alien. For this offense, Mr. JUAREZ-BRAVO was sentenced to 43 days time served.
- (5) Mr. JUAREZ-BRAVO last entered the United States at or near Nogales, AZ on or after February 27, 2003, by crossing the international border without inspection subsequent to deportation.
- (6) Mr. JUAREZ-BRAVO on a date unknown but no later than October 18, 2006, in Santa Clara County in the Northern District of California, was found to be unlawfully present in the United States, after a prior arrest and deportation, without the permission of the Director of Homeland Security, in violation of Title 8, United States Code, Section 1326. On November 14, 2006, Mr. JUAREZ-BRAVO was interviewed by Immigration Enforcement Agent (IEA) Efrain Cruz at Santa Clara Co Jail Elmwood, Milpitas, California. During that interview, Mr. JUAREZ-BRAVO was advised of his Miranda rights in Spanish. Mr. JUAREZ-BRAVO waived his Miranda rights and provided a written sworn statement attesting to his alienage, prior deportation, and failure to obtain permission from the Director of Homeland Security to reenter the United States.

Jul-06-07 07:09am From-

T-031 P.005/005 F-182

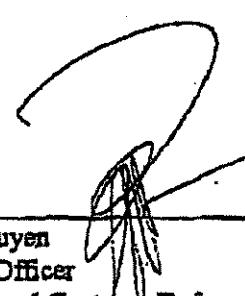
RE: RE: JUAREZ-BRAVO, Timoteo AKA ESPIN-PERALTA, Herlindo A77 174 592

(7) Mr. JUAREZ-BRAVO was on August 12, 1998, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of POSSESSION DECEPTIVE GOVERNMENT ID/DRIVER LICENSE, a Misdemeanor, in violation of Section 529.5(c) of the California Penal Code, and was sentenced to thirty (30) days in jail.

(8) There is no record in the official file of the United States Department of Homeland Security, Immigration and Customs Enforcement that Mr. JUAREZ-BRAVO ever applied to the Director of Homeland Security to reenter the United States after deportation.

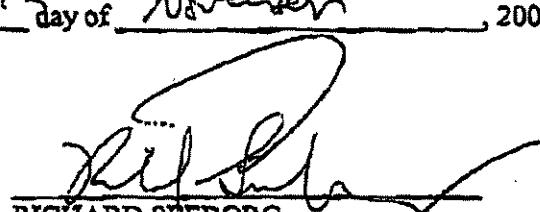
(9) Mr. JUAREZ-BRAVO is currently in custody at the Santa Clara County Jail Elmwood, Milpitas, California pending local charges of False Imprisonment PC 236/237 and Assault with a Deadly Weapon PC 245(a)(1).

(10) On the basis of the above information, there is probable cause to believe that Mr. JUAREZ-BRAVO illegally entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 17th day of November, 2006



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE

CLOSED

U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:07-mj-01741-JMA All Defendants
Internal Use Only

Case title: USA v. Juarez-Bravo

Date Filed: 07/19/2007

Date Terminated: 08/02/2007

Assigned to: Magistrate Judge Jan M.
Adler**Defendant****Timoteo Juarez-Bravo (1)**

TERMINATED: 08/02/2007

also known as

Herlindo Espin-Peralta (1)

TERMINATED: 08/02/2007

I hereby attest and certify on 8/10/07
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By P. Delia Wm Deputy

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints8:1326 - Unlawful Re-Entry into the
United States After Deportation Withoutrepresented by **Michael Stephen Berg**

Law Offices of Michael S Berg

401 West A Street

Suite 2600

San Diego, CA 92101

(619)239-2186

Fax: (619)237-1310

Email: msberg@attglobal.net

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Designation: CJA Appointment****Disposition****Disposition****Disposition**

Northern District of California

the Permission of the Attorney General
or Secretary of Homeland Security
(Felony)

Plaintiff

USA

represented by **U S Attorney CR**

U S Attorneys Office Southern District
of California
880 Front Street
Room 6293
San Diego, CA 92101
(619)557-5610
Fax: (619)557-5917
Email: Efile.dkt.gc2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Assistant United States
Attorney*

Date Filed	#	Docket Text
07/19/2007	① <u>1</u>	OUT OF DISTRICT COMPLAINT as to Timoteo Juarez-Bravo (1). (dro) (Entered: 07/19/2007)
07/19/2007	②	Arrest of Timoteo Juarez-Bravo (kaj) (Entered: 07/23/2007)
07/20/2007	③ <u>2</u>	Minute Entry for proceedings held before Magistrate Judge Louisa S Porter:Initial Appearance as to Timoteo Juarez-Bravo held on 7/20/2007, dft informed of charges, attorney Michael Stephen Berg, CJA appointed for Timoteo Juarez-Bravo, Govt moves to detain due to risk of flight, Detention Hearing set for 8/2/2007 02:00 PM in Courtroom D before Magistrate Judge Jan M. Adler, Removal/ID Hearing set for 8/2/2007 02:00 PM in Courtroom D before Magistrate Judge Jan M. Adler. (Tape #POR07-1;2:40-2:45).(Plaintiff Attorney Jeff Moore).(Defendant Attorney Jennifer Coon, FD S/A). (kaj) (Entered: 07/23/2007)
07/20/2007	③ <u>3</u>	Oral MOTION to Detain by USA as to Timoteo Juarez-Bravo. (kaj) (Entered: 07/23/2007)
08/02/2007	④ <u>4</u>	Minute Entry for proceedings held before Judge Jan M. Adler :Removal/ID and Detention Hearing as to Timoteo Juarez-Bravo held on 8/2/2007. Special Appearance of Attorney as to defendant Timoteo Juarez-Bravo is Paul Turner. Defendant admits ID. Waiver of hrg filed. Court orders defendant removed to the Northern District of California. Warrant of Removal issued to USM. (Tape #JMA07-1:3:00-3:06).(Plaintiff Attorney J. Moore, AUSA).(Defendant Attorney M. Berg, CJA, N/A). (pdc) (Entered:

		08/10/2007)
08/02/2007	⑥	WAIVER of Rule 5(c) and 5.1(a) Hearings as to Timoteo Juarez-Bravo (pdc) (Entered: 08/10/2007)